

THE

Peerless

**TRANSPORTATION
COMPANY**

1440 MIAMI CHAPEL ROAD - P.O. BOX 1296 - DAYTON, OHIO 45401 - TELEPHONE: 513-228-2166



July 1, 1993

Ms Catherine Garypie
Assistant Regional Counsel
Office of Regional Counsel
U. S. EPA
77 West Jackson CM-3T
Chicago IL 60604

Dear Ms. Garypie:

We are responding to the Information request dated June 3, 1993 from Thomas W. Mateer, Chief Superfund Program Management Branch concerning Powell Road Landfill 4060 Powell Road, Huber Heights, Ohio. We are following your instructions and definitions as close as we possibly can.

REQUESTS:

1. Identify all persons-----Carl Bridges, Aletha Smogor, Thomas Fox, Jake Stovall, Gerald Pollard, Ray Farris, and Lessy Vance -- (This is the entire employee list of Peerless as of this date.
2. Looked through all available paper work, ledgers, journals, bills of lading, billing invoices, accounts payable, accounts receivable, check stubs, checks, for the years 1959 to present for anything moving to Powell Road Landfill. All paper work that exists is at 1440 Miami Chapel Road, Dayton, Ohio.
3. We have interviewed all employees still working for Peerless.
4. N/A We do not have an EPA Identification Number
5. N/A We do not have record of transporting any material to Powell Road Landfill. We do not have any record of transporting hazardous substances, pollutants, or contaminants to this site. We are not aware of any acts or omissions which may have caused the release or threat of release of hazardous pollutants, or contaminants at this Site resulting in any damage ever.

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6. Peerless Transportation Company operated from 214 So. Perry Street, 1440 Miami Chapel Rd, 428 Washington Street, 241 So Marion Street, 37 Eaker Street, in Dayton, Ohio, Montgomery County from January 1, 1959 through December 31, 1985. Peerless Transportation Company owned 1440 Miami Chapel Rd, 37 Eaker Street, 241 So Marion St., Dayton, Ohio, Montgomery County from January 1, 1959 through December 31, 1985. Peerless owned 428 Washington Street, from January 1, 1959 through April 1, 1983. Peerless Transportation Company leased 214 So Perry Street from the B & O RR from January 1, 1959 through December 31, 1985.

7. Peerless Transportation Company never handled hazardous substances going to Powell Road Landfill.

8. Did you ever use, purchase, store, treat, dispose, transport or otherwise handle any hazardous substances or materials from January 1, 1959 to December 31, 1985? No! In our available paper work, we cannot find where Peerless Transportation ever handled or transported hazardous substances to Powell Road Landfill.

a)	N/A	Never transported hazardous substances.
b)	N/A	" " " "
c)	N/A	" " " "
d)	N/A	" " " "
e)	N/A	" " " "
f)	N/A	" " " "

9. Did you or any other person working with you or on your behalf ever accept waste materials for transportation to the Site from any person between January 1, 1959 and December 31, 1985? No! We cannot find any records showing we transported waste materials for this site.

a)	N/A	No record accepting materials.
b)	N/A	No record accepting materials.
c)	N/A	No record of transporting.
d)	N/A	No record accepting any materials.
e)	N/A	No record accepting materials.

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9. f) N/A No record accepting any materials.
g) N/A No record accepting any materials.
h) N/A No record showing transportation fees to this site.

10. Identify all persons, including yourself, who may have arranged for transportation to Site---between January 1, 1959 and December 31, 1985. To our knowledge no one working here at Peerless now or at that time made arrangements for transporting to the Site.

a) We never discussed transportation to the Site with any of the persons or groups listed or otherwise.

- b) No Date did we meet and make arrangements.
- c) N/A No record of transportation transaction.
- d) N/A No record of transportation.
- e) N/A No record of any quantity.
- f) N/A No record of transporting any waste to site.
- g) N/A No record of Peerless using Site.
- h) N/A No record of making payment to Powell Site.
- i) N/A No record of transporting any substance -- otherwise or hazardous.
- j) N/A No records of materials transshipped through or stored, or held prior to disposal.
- k) N/A No records or knowledge
- l) N/A No records or knowledge
- m) N/A No records of transporting
- n) N/A No records of transporting material.
- o) N/A No records of receipt for transportation.
- p) N/A We have no records or documents.
- q) N/A All present employees have no knowledge of transportation to this landfill.

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11. Identify all liability insurance policies held by Peerless Transportation from 1959 to the present.

Insured was and is THE PEERLESS TRANSPORTATION COMPANY.
Policies do contain "Pollution exclusion" Clause.

The amount of coverage maximum liability on each policy was
and is 1 million dollars.

The policies exclude sudden, nonsudden or both types of
accidents.

Name/Address	Commence Date/Expire Date	Pol No.
1992 USF&G Dublin, OH	7/25/92 7/25/93	1MP30051723900
1991 Cinci Ins. Cinci, Oh	6/18/91 6/18/92	47 86 85
1990 Cinci, Ins. Cinci, OH	6/18/90 6/18/91	47 86 85
1989 Cinci, Ins. Cinci, OH	6/18/89 6/18/90	49 13 41
1988 Cinci, Ins. Cinci, Oh	6/18/88 6/18/89	49 13 41
1987 Cinci, Ins. Cinci, Oh	6/18/87 6/18/88	49 13 41
1986 Cinci, Ins. Cinci, Oh	6/18/86 6/18/87	52 95 74
1985 Cinci, Ins. Cinci, Oh	6/18/85 6/18/86	52 95 74
1984 Cinci Ins Cin., Oh	6/18/84 6/18/85	52 95 74
1983 Cincic Ins Cin., Oh	6/18/83 6/18/84	52 95 74
1982 Cincin Ins Cin., Oh	6/18/82 6/18/83	52 95 74
1981 Reliance Ins. Phila, PA	5/15/81 5/15/82	C19756229
1980 Reliance, Ins. Phila, PA	4/15/80 4/15/80	C19756229
1979 Reliance, Ins. Phila, PA	4/15/79 4/15/80	C19756229

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1978	Reliance, Ins. Phila, Pa.	4/15/78	4/15/79	C19756229
1977	Reliance, Ins. Phila. Pa.	3/15/77	3/14/78	CI6445610
1976	Reliance Ins. Phila, PA	3/15/76	3/15/77	C16445610
1975	Reliance Ins. Phila, PA	3/15/75	3/15/76	C16445610
1974	Reliance, Ins Phila, PA	3/15/74	3/15/75	C16445610
1973	Hartford Ins Phila, PA	3/15/73	3/15/74	33C467718
1972	Hartford Ins. Phila, Pa	3/15/72	3/15/73	33C464890
1971	Hartford Ins. Phila, Pa	3/15/71	3/15/72	33C463937
1970	Beneficial Ins Cinci, Oh	2/15/70	2/15/71	GA843144
1969	Beneficial Ins Cinci, Oh	2/15/69	2/15/70	GA797700
1968	Beneficial Ins. Cinci, Oh	2/15/68	2/15/69	GA744205
1967	Beneficial Ins Cinci, Oh	2/15/67	2/15/68	GA69930
1966	Selective Ins Cinci, Oh	2/15/66	2/15/67	G588664
1965	Selective Ins. Cinci, Oh	2/15/65	2/15/66	G588210
1964	No record			
1963	No record			
1962	No record			
1961	No record			
1960	No record			
1959	No record			

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12. Provide copies of income tax returns for last three years----- respondents 1120's for years 1992, 1991, 1990 enclosed.

13. - a) Copy of Articles of Inc. and By-Laws enclosed

b) We do not have an audited financial statements for the past five years. Enclosed are financial statements for years 1992, 1991, 1990, 1989, 1988

c) Current Assets - Accounts Receivable-C. Bridges
Current Liabilities - Acc Payable - C. Bridges

14. N/A Not a Partnership

15. N/A Not A Trust

16. N/A Respondent is not a joint venture.

17. Carl M. Bridges, President 513-228-2166 should receive future correspondence at: THE PEERLESS TRANSPORTATION CO.
P. O. Box 1296
Dayton, Oh 45401

Mr. Mateer, Ms. Garypie, and Ms. Cosgrove: Using all available knowledge, we have tried to answer all questions in a duly manner. If we can be of further assistance please do not hesitate to contact me. If in the future we find more information, we will update this request letter.

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Respectfully submitted,

THE PEERLESS TRANSPORTATION COMPANY / Address of Request
1140 Miami Chapel Road /
Dayton, Oh 45408
Mail is not delivered to this address.

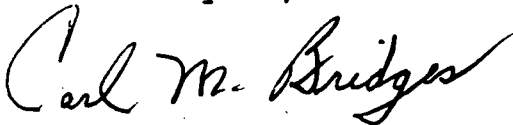
Mail correspondence to:

THE PEERLESS TRANSPORTATION CO.
P. O. Box 1296
Dayton, Oh 45401

PEERLESS TRANSPORTATION COMPANY / Address of Request
214 S. Perry Street
Dayton, Oh 45408

Do not use this address/ The Building has been torn down.

Mail correspondence to:
THE PEERLESS TRANSPORTATION CO.
P. O. Box 1296
Dayton, Oh 45401



Carl M. Bridges, President

MINUTES OF FIRST DIRECTORS' MEETING

By-Laws, as follows, were presented and unanimously adopted:

By-Laws

THE PEERLESS TRANSPORTATION CO.,

Article 1. Meetings

The directors shall meet annually at the office of the company on the first Monday following a Tuesday of January of each year at 2 o'clock P. M. *annual 4/5/16*

Regular monthly meetings of the Board of Directors shall be held at 2 P. M. o'clock on the first Monday of each month if not a legal holiday, then on the day following at the same hour.

Special meetings of the Board of Directors may be held at the office of the company at any time pursuant to a written call by the President or by any two members of the Board, or may be held at any time and place without notice by the unanimous written consent of all members or by the presence of all members at such meeting.

Notice of meetings. A written or printed notice of every regular or special meeting, stating the time and place, and in case of special meetings the object thereof, shall be mailed to each Director at least 3 days before such meeting. Provided, however, no failure or irregularity of notice of any regular meeting shall invalidate the same or any proceeding thereof. Only the business specified in such notice shall be transacted at any special meeting.

Article II. Vacancies

In case of any vacancy in the Board of Directors caused by death, resignation or otherwise, such vacancy shall be filled for the unexpired term by a majority of the board of directors.

Article III.

All moneys of this company shall be deposited by the Treasurer as the same are received by him, in the *City National Bank* Bank of Dayton, Ohio in the name of this company and shall be withdrawn only by checks signed by the President.

Article V.

The salaries of the officers of this company shall be as follows:

President	-	\$ 50.00
V. Pres.	-	No salary
Secretary	-	" "
Treasurer	-	" "

weekly
each payable monthly.

Minutes of a _____ Meeting of the _____
of The _____ Company
held at _____

19

- continued -

Article VI.

These by-laws may be amended or repealed by a majority vote of the board at any regular meeting or at any special meeting called for that purpose.

Thereupon the Secretary of the company read the following proposition from O. F. Schmidt.

"Dayton, Ohio,
February 7, 1922.

to The Peerless Transportation Co.,
Dayton, Ohio.

Gentlemen:-

For and in the consideration of the receipt from you for the full payment of my stock subscription for \$10,000.00 worth of the common capital stock of the company, same being ~~1/2~~ of said common capital stock, I hereby propose to transfer to you the business which I am now conducting as an individual, known as The Peerless Transportation Company. The transfer to be carried out as of February 1, 1922. A copy of trial balance as of date of February 1, 1922, together with an inventory of the company is hereto attached, marked "Exhibit A" & "B" and made a part of this proposition. This offer also includes the good will of said company, as you will note on the trial balance attached.

This offer is subject to your immediate acceptance."

Yours truly,

O. F. Schmidt

Thereupon Mr. O. F. Schmidt withdrew from the meeting and the Secretary presided. On motion of S. L. Finn seconded by W. L. Wirsching, it was resolved that the corporation accept the offer of O. F. Schmidt and that the present Secretary be authorized to do all things necessary to accept said offer.

There being no further business, the board adjourned on motion duly seconded and carried.

O. F. Schmidt
President.

Helen H. Estabrook
Secretary.

Peerless Transportation Company

Redacted Docs

Income Tax Returns

Financial Statements

Why
Confidential

"

Filed

1-31-1922.

No. 100226.

THESE ARTICLES OF INCORPORATION

OF

The

PEERLESS TRANSPORTATION

Company

Witnesseth, That we, the undersigned, all of whom are citizens of the State of Ohio, desiring to form a corporation, for profit, under the general corporation laws of said State, do hereby certify:

First. The name of said corporation shall be The Peerless Transportation Company

Second. Said corporation is to be located at Dayton, in Montgomery County, Ohio, and its principal business there transacted.

Third. Said corporation is formed for the purpose of: transferring, moving and delivering personal property of all kinds by automobile trucks and other vehicles, for acquiring, holding or disposing of such real estate as may be necessary and incident thereto, and the doing of all other things necessary and incident thereto.

Fourth. The capital stock of said corporation shall be Fifteen Thousand Dollars, (\$ 15,000.00) divided into One Hundred Fifty (150) Shares of One Hundred Dollars (\$ 100.00) each.

In Witness Whereof, We have hereunto set our hands this 28th day of January, A. D. 1922.

H. A. Estabrook.

S. L. Finn.

O. F. Schmidt.

Mildred S. Schmidt.

Rudolph Wirsching.

The State of Ohio, County of Montgomery ss.

Personally appeared before me, the undersigned, a Notary Public in and for said county, this 28th day of January, A. D. 1922, the above named H. A. Estabrook

S. L. Finn, O. F. Schmidt, Mildred S. Schmidt

and Rudolph Wirsching

who each severally acknowledged the signing of the foregoing articles of incorporation to be his free act and deed, for the uses and purposes therein mentioned.

Witness my hand and official seal on the day and year last aforesaid.

Rowland H. McKee.

SEAL

Notary Public in

and for Montgomery County, Ohio.

The State of Ohio, County of Montgomery ss.

I, C. D. Hoffman, Clerk of the Court of Common Pleas, within and for the county aforesaid, do hereby certify that Rowland H. McKee, whose name is subscribed to the foregoing acknowledgment as a Notary Public, was at the date thereof a Notary Public in and for said county, duly commissioned and qualified, and authorized as such to take said acknowledgment; and further, that I am well acquainted with his handwriting, and believe that the signature to said acknowledgment is genuine.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Court at Dayton, Ohio,

SEAL

this 30th day of January, A. D. 1922.

C. D. Hoffman.

Clerk.

E. D. Ernet, Deputy Clerk.